

REMARKS

Claims 10, 11, 13, and 16-19 are pending in this application. Claims 10, 11, 13, and 16-18 claims stand rejected under 35 USC 103 as being unpatentable over Johnson (US 6788980) in view of Brandt (US 6377993).

Response to Rejections Under Section 103:

Regarding the combination of Johnson and Brandt, as Applicant understands and as seen in FIG.6 of Brandt, Brandt discloses a system where a communication path flows from a browser (i.e. user interface) 50, through the public internet 85, through a first firewall 55(a), through a switching unit 82, through a second firewall 55(b), to the MCI intranet. It appears that Examiner is using Brandt to teach a firewall in the apparatus 40-44 of Johnson which is analogous to Applicant's mobile operating and monitoring device.

MPEP 706 states "The goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity." Applicant has identified two ways Examiner could be making the proposed combination, but is unsure which was envisioned by Examiner. First, Examiner could be focusing on the firewalls and be equating firewall 55(a) with Applicant's first firewall in the mobile operating and monitoring device, and equating firewall 55(b) with Applicant's second firewall in the automation component with the radio access point. In this case browser 50 and firewall 55(a) would be separated by public internet 85. However, Applicant claims "a first firewall *in* the mobile operating and monitoring device." Thus, Brandt and Johnson combined in this manner do not teach Applicant's claim 10.

Another combination, and possibly more appropriate, would equate firewall 55(a) with Applicant's *second* firewall, because firewall 55(a) is the portal between the customer and the MCI infrastructure in Brandt, and Applicant's second firewall is the portal to the automation component. This combination would further equate browser 50 with Applicant's mobile operating and monitoring device, because browser 50 is the user interface in Brandt, and Applicant's mobile operating and monitoring device is Applicant's user interface. However, this results in a system a firewall at the portal and another firewall inside the system/automation component, but **no** firewall in the user interface/mobile operating and monitoring device. Thus Brandt and Johnson combined in this manner still do not teach Applicant's claim 10. Applicant

respectfully requests the 35 USC 103 rejection of claim 10, and claims 11, 13, and 16-18, which depend from and include all the limitations of claim 10, based on Johnson (US 6788980) in view of Brandt, be withdrawn.

Regarding claim 11, Applicant claims “first and second firewalls [that] include essentially the same security procedures.” Examiner states that Brandt teaches this limitation because the firewalls in Brandt “perform routing and filtering functions for data connections.” It appears that Examiner interprets “security procedures” as “routing and filtering functions.” Applicant suggests that this interpretation is unreasonably broad as it effectively lumps all routers of every kind configured in every way into the same category, thus eliminating all possibility for any distinctions. Applicant suggests that a narrower definition is known to those of ordinary skill in the art as evidenced by Brandt itself. Brandt discloses that the two firewalls use *different* “filtering rules:”

In the preferred embodiment, **one** of the firewalls 55b includes port specific filtering routers, which may only connect with a designated port address. For example, router 84 (**firewall 55(a)**) **may connect only to the addresses set for the HydraWeb®** (or web servers 44) within the DMZ, and router 86 (**firewall 55(b)**) **may only connect to the port addresses set for the dispatch server 46** within the network.

(Col. 11, ll. 17-24). Thus, Brandt defines different security procedures for each firewall. Further, Brandt *relies* on the different security procedures to enable the invention: “The DMZ 47 acts as a double firewall for the enterprise intranet ***because of the double layer of port specific filtering rules.***” (Col. 11, ll. 38-39). In contrast, Applicant claims firewalls “wherein the first and second firewalls include essentially the **same** security procedures.” Applicant respectfully requests the 35 USC 103 rejection of claim 11, based on Johnson (US 6788980) in view of Brandt, be withdrawn.

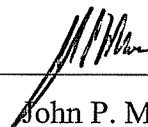
(please continue to the next page)

Conclusion

Applicants respectfully request reconsideration and allowance of the present application in view of the foregoing arguments. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 1/13/08

By: 

John P. Musone
Registration No. 44,961
(407) 736-6449

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830